

**MINUTES OF THE NOVEMBER 7, 2013, MEETING OF  
THE GOVERNING BOARD OF THE  
HEALTH INFORMATION EXCHANGE AUTHORITY**

The Board of Directors (“Board”) of the Illinois Health Information Exchange Authority (“Authority”), pursuant to notice duly given, held a meeting at 12:03 p.m. on November 7, 2013, at the State of Illinois JRTC, 2-025, 100 West Randolph, Chicago, Illinois 60601 with telephone conference call capability.

|   |   |
|---|---|
| <u>Appointed Members Present:</u><br>Dr. Bechara Choucair<br>Mr. David Holland, Chair<br>Dr. William Kobler<br>Mr. Mark Neaman<br>Dr. Nancy Newby<br>Dr. Nicholas Panomitros<br>Mr. Raul Recarey<br>Dr. Bruce Wellman | <u>Ex-Officio Members Present:</u><br>HFS- Director Julie Hamos [phone]<br>DPH- Mr. David Carvalho<br>OHIT- Ms. Laura Zaremba |
| <u>Appointed Members Absent:</u><br>Dr. Cheryl Whitaker   | <u>Ex-Officio Members Absent:</u><br>DOI- Ms. Michelle Oshman<br>DHS- Ms. Susan Locke   |
| <u>OHIT/ILHIE Authority Staff Present:</u><br>Ms. Krysta Heaney<br>Ms. Elizabeth LaRocca<br>Mr. Steve Linthicum<br>Mr. Tom Nowak<br>Mr. Cory Verblen  |   |

*Welcome and Call to Order*

Mr. David Holland, Chair of the Board of the Authority, called the meeting to order.

*Roll Call*

Ms. Elizabeth LaRocca, Office of Health Information Technology (OHIT) General Counsel and Assistant Secretary to the Board, confirmed the presence of the Members of the Authority Board indicated above. The ability of those participating by phone to hear clearly was confirmed.

*Approval of Agenda*

Mr. Holland previewed the agenda and explained that notice and the agenda for the meeting was posted in accordance with the Open Meetings Act. There were not proposed changes to the agenda.

*Approval of the Minutes*

Minutes from the meeting of the Board held on September 28, 2013 were circulated prior to the meeting. A reading of the minutes was waived, and a motion to approve the minutes as presented was made and approved.

*Executive Director's Report*

Mr. Raul Recarey, Executive Director of the Authority, first introduced ILHIE Authority team members: Mr. Tom Nowak, Mr. Steve Linthicum, and Ms. Krysta Heaney. Each individual briefly introduced themselves and their backgrounds.

Mr. Recarey then presented on some of the trends in health information exchange across the country, and reported the following: From a national view, use of HIEs is increasing; nearly half of physician practices indicated that they planned to join an HIE, the majority of which preferred a state run exchange. Some of the largest issues affecting HIEs are long-term sustainability and the lack of national standards and the collaboration among competitors. The Authority is addressing these issues through a competitive pricing scheme, promoting connectivity, and close alignment with the Medicaid program.

Mr. Recarey responded to a question regarding whether the cost to use the ILHIE differs based on if a provider uses it directly or comes in through another HIE by indicated that the cost is always a per-provider fee, and that this does not change based on how a provider connects.

Mr. Recarey continued to report the following: He showed a chart of what Medicaid is doing in other states across the country to implement advanced planning documents which, if approved, are matched by federal dollars and take away some of the burden of the cost on providers; he explained that the Veterans Administration is also connecting with the ILHIE to assist with continuity of patient records; and that the ILHIE is also working with the Social Security Administration (SSA) and which is anticipated to reimburse the ILHIE Authority \$15 per query.

Mr. Recarey next reported on how the ILHIE is addressing the lack of standards, explaining that the Authority is currently following available national standards, and requiring that clients also follow these national standards. He then discussed “co-opetition” which is an approach that suggests that various HIEs need to collaborate on some level because the key question is how HIEs use the data in their operations and not who holds the data.

Mr. Recarey noted that the ILHIE already has 30 signed data sharing agreements in place.

Mr. Steve Linthicum, of the ILHIE Authority, discussed the on-boarding pipeline for public health reporting. Mr. Linthicum showed a list of organizations that he has been working with, noting that currently 35 of them have been connected to the ILHIE and have accomplished message testing; and that they have the ability to show public health reporting measures to the public health node. Another 30 on the list are working on being connected. He then discussed

the next goal - working with various physician practices to allow them to create a report in their EHR system, put it in an excel spreadsheet and then be able to send that file through ILHIE direct and into the public health node.

Mr. Linthicum responded to a question asking about how patient data would be identified and if that information would then match up with the Master Patient Index in the ILHIE by explaining that this data would not be going to the ILHIE database but is going directly to public health.

Mr. Tom Nowak, Chief Financial Officer and Treasurer of the Authority, then briefly presented on the financial information of the Authority by indicating that, as contracts start coming in, there will be an increase in Authority activity.

Mr. Cory Verblen, OHIT Communications Manager, then presented on ILHIE Direct, explaining that overall there has been an increase in providers that are using and paying for the technology, although a few accounts were lost due to some organizations not being able to pay.

Ms. Laura Zaremba, OHIT Executive Director, gave an update on the EHR incentive programs. She explained that there are almost 5,000 Medicaid eligible professionals in Illinois who have registered their intent to participate in the Medicare EHR incentive program. She explained that 171 hospitals in the State are registered, which is getting very close to the total number of hospitals in the state that are eligible. She discussed that Illinois is now reaching the close of the design phase for the innovation design plan project for the Statewide innovation model grant authorized by the Affordable Care Act. Particularly, she highlighted the degree to which the innovation plan seeks to leverage the ILHIE structure to move forward with the delivery system and payment reforms that the plan encompasses. She then discussed a few of the specific reforms that were being designed.

Ms. Zaremba answered a question about the timeline for the process by explaining that the Centers for Medicare and Medicaid Innovation will put out the application for implementation funding no later than June of next year, and that it would probably be Fall before the proposals are evaluated and funded.

The agenda was then discussed: two items were to be switched to accommodate a scheduling matter. The Data Security and Privacy Committee (DSPC) report would be given before the Governance and Nominating Committee report.

#### *Data Security and Privacy Committee Report and Resolution 2013-15*

Dr. Nicholas Panomitros, Chair of the DSPC, provided an update on recent deliberations of the DSPC. He indicated that the DSPC recommended that Resolution 2013-15, with the “Patient Choice Recommendations” at Attachments A-H, be adopted by the Board.

Resolution Number 2013-15 provides for the approval of various ILHIE Authority policies and documents that implement the meaningful disclosure and other requirements of House Bill 1017

that amended the Mental Health Developmental Disabilities Confidentiality Act. It also requests approval of policies related to Break the Glass and Breach Notification. It instructs the Authority's Executive Director to take any necessary action to implement the recommendations.

Ms. LaRocca gave a brief overview of how OHIT and the ILHIE went about implementing HB1017. She explained that workgroups were held to generate recommendations and include stakeholders. The workgroups were divided into patient choice and meaningful disclosure, breach response protocol, and patient consent preferences and data security. The meaningful disclosure group was broken down even further. All interested parties were invited to participate, and all meetings were held in accordance with the Open Meetings Act. She then went through the various pieces of work product that were developed through these workgroups. She further discussed how the ILHIE addresses opt-in and opt-out preferences. The conclusions of this process are set forth in Attachments A-H of Resolution 2013-15.

A question was asked if a patient must use a paper opt-out form and submit the form to the Authority. Ms. LaRocca explained that there is another mechanism, in which a patient can go to the provider who then controls whether the patient is opted in or out for that provider. Providers are recommended to obtain paper opt-out forms for their own records.

Dr. Panomitros recommended that the Board adopt resolution 2013-15, and highlighted a few of the key points from the Resolution. Mr. Holland commended the work and heavy-lifting on the part of the workgroups. He further noted that nobody expects the policies and procedures to be perfect, and that the policies include provisions to allow for updates in the future, especially as technology changes. A motion was then made and seconded to adopt the resolution. A vote was then conducted for Board members to vote for or against the resolution, and the motion passed unanimously.

#### *Governance and Nominating Committee Report and Resolutions 2013-13 and 2013-14*

Dr. Nancy Newby provided the update regarding the Governance and Nominating Committee. She reported that the Committee recommended for Board adoption Resolution 2013-13, electing Tom Nowak as Treasurer of the Authority. Ms. LaRocca read Resolution 2013-13. A vote was conducted on a motion to adopt the Resolution and it passed unanimously.

Dr. Newby next communicated that the Governance and Nominating Committee recommended that the Board adopt Resolution 2013-14. Resolution Number 2013-14 provides for the appointment of 17 new members and the reappointment of 2 prior members of the Advisory Committee. The appointment of these members will be effective on July 17, 2014 and their terms will expire on July 16, 2016. A vote was held and the Resolution was unanimously adopted.

#### *Regional HIE Update*

Representatives of the regional HIE were invited to report. Chuck Cox from Metro Chicago Hospital HIE declined to make an update. Ms. Joy Duling from the Central Illinois Information Exchange explained that some new members had been added, including a regional ambulance service provider, which will give some opportunities for paramedics to access patient data in the field. She further updated that the exchange is also working on retrieving data from long term care facilities. Ms. Duling indicated that the Central Illinois Information Exchange would be contracting with the Authority shortly. On behalf of Southern Illinois Health Information Exchange, Ms. Dana Crane explained that they are working on their white space grant, and are still waiting to enable bi-directional testing and are near the final milestone of getting connected to the State. Mr. Roger Holloway from Northern Illinois Health Information Exchange said there was no new information to report. No one from Tri-Rivers Health Information Technology or Lincoln Land HIE was available to give a report.

#### *Regional Extension Center Update*

Mr. Abel Kho of CHITREC provided a report on the general extension center updates. They are currently working on getting providers to the final meaningful use milestone. Both extension centers are working on a no-cost extension to be able to do work for subscribers over the upcoming year. Mr. Kho answered a question as to how long an extension would allow, from what period to what period, explaining that the no cost extension would hopefully extend into Feb. 2015. He also explained that the help desk is open and ready for business.

Mr. Holloway of IL-HITREC explained that HITREC is situated similarly to Mr. Kho, and additionally has struck an agreement with another regional extension center to transfer some slots to Illinois to add an additional 250 providers that will be completed in early 2015. He explained that they also have a help desk available.

#### *Public Comments*

The floor was opened for comments from the public, and no comments were made.

#### *Board Discussion*

The floor was then opened for the Board to make comments. A question was asked as to when the privacy final documents will be available. Ms. LaRocca explained that the documents were going to be checked for readability and go to marketing, and would hopefully have a relatively quick turn-around.

#### *Adjournment*

It was noted that the next scheduled Board meeting was January 22, 2014. The meeting was adjourned at 1:25 p.m.

Approved – 1/22/14

Minutes submitted by Lindsay Friedman; reviewed by Elizabeth LaRocca.